

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
(SOUTHERN DIVISION)**

**U.S. EQUAL EMPLOYMENT  
OPPORTUNITY COMMISSION,**

**Plaintiff,**

**v.**

**FREEMAN,**

**Defendant.**

**Case No. 8:09-CV-02573-RWT**

**DEFENDANT'S PARTIAL MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Pursuant to FED. R. CIV. P. 12(b)(6), Defendant Freeman moves to dismiss all claims in this lawsuit that relate to hiring decisions made more than 300 days before the filing of the administrative charge on which this case is based – specifically, all claims relating to decisions made prior to March 23, 2007. As explained in the accompanying Memorandum of Law, challenges to hiring decisions made before that date are time-barred.

Respectfully submitted,

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